

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

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BABY DOE, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO. 3:22-CV-49-NKM-JCH
	:	
v.	:	
	:	
JOSHUA MAST, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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PLAINTIFFS’ UNOPPOSED MOTION FOR PRE-HEARING BRIEFING SCHEDULE

Pursuant to Local Rule 11, Plaintiffs respectfully ask the Court to enter a pre-hearing briefing schedule in advance of a hearing on their Motion, and Memorandum in Support, to Show Cause Why Defendants Joshua and Stephanie Mast and Their Third-Party Representatives Jonathan Mast and the Pipe Hitter Foundation Should Not Be Held in Contempt for Violating the Court’s Protective Order, and for Expedited Discovery (“Motion to Show Cause”) (ECF No. 231, 239, 244). In support thereof, Plaintiffs state as follows:

1. Plaintiffs filed their Motion to Show Cause on June 14, 2023, alleging that Defendants Joshua and Stephanie Mast (“J&S Mast”) violated the Court’s Protective Order (ECF No. 26) through, and with the assistance of, non-parties Jonathan Mast and the Pipe Hitter Foundation. *See* ECF No. 231.

2. J&S Mast opposed the motion on June 28, 2023 (ECF No. 239) and Plaintiffs filed a reply on July 5, 2023 (ECF No. 244).

3. Concurrent with the parties' briefing of the Motion to Show Cause, Plaintiffs served Pipe Hitter Foundation and Jonathan Mast with subpoenas for documents and depositions. The subpoenas issued June 14, 2023. Plaintiffs achieved service on the Pipe Hitter Foundation on June 17, 2023 and again on June 23, 2023, and on Jonathan Mast on July 3, 2023.

4. Pipe Hitter Foundation produced documents responsive to its subpoena on or about July 10, 2023. It further filed a declaration relating to the Motion to Show Cause on July 18, 2023. *See* ECF No. 257-2 (Declaration of Dena Disarro on Behalf of Non-Party Pipe Hitter Foundation Inc.).

5. Jonathan Mast produced documents on or about July 14, 2023, and his deposition proceeded on July 17, 2023.

6. Accordingly, neither Plaintiffs' nor J&S Mast's briefing regarding the Motion to Show Cause addressed evidence obtained from the Pipe Hitter Foundation or Jonathan Mast.

7. Plaintiffs have asked the Court for a hearing on the Motion to Show Cause. At that hearing, Plaintiffs intend to present the Court with evidence regarding violations of the Court's Protective Order.

8. Plaintiffs propose that, in an effort to streamline the hearing, they be permitted to file a pre-hearing brief 14 days before the hearing that sets forth evidence supporting their Motion to Show Cause – particularly evidence obtained from the Pipe Hitter Foundation and Jonathan Mast. Plaintiffs further propose that J&S Mast be permitted to file a pre-hearing brief in response 7 days before the hearing.

9. Plaintiffs understand that J&S Mast agree with the proposed briefing schedule.

10. Accordingly, Plaintiffs respectfully ask the Court to enter a briefing schedule under which Plaintiffs are permitted to file a pre-hearing brief in support of their Motion to Show Cause 14

days before a hearing on that motion, and that J&S Mast be permitted to file a pre-hearing brief in response 7 days before a hearing on that motion. A proposed order is attached hereto as Exh. A.

April 12, 2024

Respectfully submitted,

/s/ Maya Eckstein

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of April 2024, I filed the foregoing with the Court's electronic case-filing system, thereby serving all counsel of record in this case.

By: /s/ Maya Eckstein
Maya M. Eckstein (VSB No. 41413)